

**LAW OFFICE OF
PATRICK U. SMATHERS, P.A.**
118 Main Street, Suite B
Canton, North Carolina 28716

PATRICK U. SMATHERS
Attorney at Law

Telephone: (828) 648-8240
Facsimile: (828) 648-3869
Email: _____

October 29, 2008

Jeff. S. Jordan
General Counsel's Office
Federal Election Commission
999 E Street
NW Washington D.C. 20463

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2008 NOV 10 A 11:01

RE: Larry E. O'Dell, Frank Eaton, Bully Documentary Inc.; Complaint MUR #6091

Dear Mr. Jordan:

Please be advised that I represent Frank Eaton in regard to the complaint filed against him and his company Bully Documentary on September 26, 2008. A Statement of Designation of Counsel has been faxed to your office. Though the Federal Election Commission issued the complaint to Larry E. O'Dell, Frank Eaton will be answering the complaint for Mr. O'Dell, Bully Documentary, and himself. Mr. Eaton is the owner and operator of Bully Documentary Incorporated and Mr. O'Dell serves only as the accountant and corporate processing agent for Bully Documentary. Furthermore, Mr. Eaton is responsible for the actions complained of, not Mr. O'Dell. A letter from Mr. O'Dell explaining his position is attached.

In the winter of 2008, Mr. Eaton personally volunteered his time to create several, short, internet and TV spots for the Roy Carter for Congress campaign. These spots were created during his free time at no cost to Mr. Eaton, Bully Documentary, or the Carter campaign.

It was also Mr. Eaton's understanding that these volunteer hours would be reported as an "in kind" donation by the Carter Campaign. Mr. Eaton has not and does not plan to report any losses against any of his personal or business assets relating to these volunteer activities. It is also Mr. Eaton's understanding that the Carter campaign has rectified the situation and that all campaign reports are accurate and reflect the in-kind services provided by Mr. Eaton. A copy of a campaign report detailing the in-kind donations of Mr. Eaton is attached.

Mr. Eaton's understanding is that YouTube is a free and public service. The Carter for Congress spots that he posted conformed to YouTube's rules and regulations, and do not constitute a business expense for Bully Documentary or a personal expense to Mr. Eaton. The use of the name "The Bully Documentary Co." on the public YouTube web page was merely colloquial, since ownership of the web address and online storage of all content is reserved by YouTube Inc.

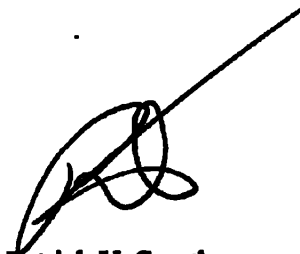
10044260338

Jeff S. Jordan
Page 2
October 29, 2008

It is the wish of Mr. Eaton, based up the information provided and the documents attached, that the complaint against him, Mr. O'Dell, and Bully Documentary be dismissed and that his actions be deemed to not have violated the Federal Election Campaign Act of 1971.

If you have any questions, please feel free to contact me.

With best wishes, I am,

A handwritten signature in black ink, appearing to read 'Patrick U. Smathers', with a long, sweeping line extending upwards and to the right.

Patrick U. Smathers

PUS: zls

Enclosures

10044260339

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

ROY CARTER FOR CONGRESS COMMITTEE

ADDRESS (number and street)

280 SEVERT RD

Check if different
than previously
reported. (ACC)

PO BOX 188

GLENDALE SPRINGS

NC

28829

2. FEC IDENTIFICATION NUMBER

C00439489

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

NC

05

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

X

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

11

04

2008

In the
State of

NC

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

In the
State of

5. Covering Period 10 01 2008 through 10 15 2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

John Covert Rhineberger

Signature of Treasurer Electronically Filed by John Covert Rhineberger

Date 10 19 2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

FESAN018

10044260340

SUMMARY PAGE of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)

Page 2

Write or Type Committee Name

ROY CARTER FOR CONGRESS COMMITTEE

Report Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
1 0 0 1 2 0 0 8 1 0 1 5 2 0 0 8

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e)).....	18435.00	210470.88
(b) Total Contribution Refunds (from Line 20(d)).....	11.00	938.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)).....	18424.00	209534.88
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17).....	18555.28	177806.76
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)).....	18555.28	177806.76
8. Cash on Hand at Close of Reporting Period (from Line 27).....	31928.10	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-9530
Local 202-694-1100

**DETAILED SUMMARY PAGE
of Receipts**

FEC Form 3 (Revised 12/2003)

Page 3

Write or Type Committee Name
ROY CARTER FOR CONGRESS COMMITTEEReport Covering the Period: From: M M D D Y Y Y Y To: M M D D Y Y Y Y
10 01 2008 10 15 2008**L RECEIPTS****COLUMN A
Total This Period****COLUMN B
Election Cycle-to-Date****11. CONTRIBUTIONS (other than loans) FROM:**

(a) Individuals/Persons Other Than Political Committees	8735.00	113509.28
(i) Itemized (use Schedule A).....		
(ii) Unitemized.....	5950.00	78466.60
(iii) TOTAL of contributions from individuals..... ▶	14685.00	191975.86
(b) Political Party Committees.....	1250.00	7600.00
(c) Other Political Committees (such as PACS).....	2500.00	10695.00
(d) The Candidate.....	0.00	200.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(ii), (b), (c), and (d))	18435.00	210470.86

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....

0.00 0.00

13. LOANS

(a) Made or Guaranteed by the Candidate.....	0.00	0.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	0.00	0.00

14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....

0.00 0.00

15. OTHER RECEIPTS (Dividends, Interest, etc.).....

0.00 0.00

16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)..... ▶

18435.00 210470.86

10044260342

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

II. DISBURSEMENTS**COLUMN A**
Total This Period**COLUMN B**
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....	18555.28	177606.78
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	11.00	286.00
(b) Political Party Committees.....	0.00	650.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	11.00	936.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	18566.28	178542.78

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	32059.38
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	18435.00
25. SUBTOTAL (add Line 23 and Line 24).....	50494.38
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	18566.28
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	31928.10

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 9/27

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

ROY CARTER FOR CONGRESS COMMITTEE

A.

Full Name (Last, First, Middle Initial)

Mr. Frank Eaton

Mailing Address 211 East 3rd St

City

Winston-Salem

State

NC

Zip Code

27101

FEC ID number of contributing federal political committee.

C

Name of Employer
Film Product Services

Occupation

Owner/Producer

Receipt For: 2008

Primary X General

Other (specify) ▼

Election Cycle-to-Date ▼

1500.00

Date of Receipt

MM / DD / YYYY
10 / 14 / 2008

Transaction ID: SA11AI.8850

Amount of Each Receipt this Period

1500.00

In-kind - Commercial Shoot
ProductionLimit Increased Due to Opponent's
Spending (2 U.S.C. 441a(f)/441a-1)

B.

Full Name (Last, First, Middle Initial)

George Roy Elmore

Mailing Address 285 Walter Drive

City

West Jefferson

State

NC

Zip Code

28694

FEC ID number of contributing federal political committee.

C

Name of Employer
None

Occupation

Retired

Receipt For: 2008

Primary X General

Other (specify) ▼

Election Cycle-to-Date ▼

950.00

Date of Receipt

MM / DD / YYYY
10 / 14 / 2008

Transaction ID: SA11AI.8828

Amount of Each Receipt this Period

150.00

Contribution

Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(f)/441a-1)

C.

Full Name (Last, First, Middle Initial)

Roselyn S. Fielding

Mailing Address 144 North Forke Drive

City

Advance

State

NC

Zip Code

27008

FEC ID number of contributing federal political committee.

C

Name of Employer
none

Occupation

Homemaker

Receipt For: 2008

Primary X General

Other (specify) ▼

Election Cycle-to-Date ▼

425.00

Date of Receipt

MM / DD / YYYY
10 / 14 / 2008

Transaction ID: SA11AI.8829

Amount of Each Receipt this Period

75.00

Contribution

Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(f)/441a-1)

SUBTOTAL of Receipts This Page (optional)

1725.00

TOTAL This Period (last page this line number only)